

On Cockroaches and the Rule of Law

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As I awoke one morning from uneasy dreams I found myself transformed in my bed into a gigantic insect. Like Gregor Samsa in Kafka's *Metamorphosis*, I had mutated into an enormous and abominable cockroach with no prior warning. It just happened. As I woke up, I could feel how my new legs and antennae moved with sinuous speed.

Then I knew what I really had become. I had mutated into a Spanish fascist. My home was not my home anymore. It was the home of a fascist. My country was a fascist country. That morning I understood that the past had been a lie and the present was the genuine truth. All this time I had been living in a fascist dictatorship and I, of all people, had been part of the conspiracy with my fascist thinking and fascist talk.

As I read the press today, I see the deposed President of Catalonia, in hiding in Brussels as he awaits the enforcement of a European Arrest Warrant, claiming that Spain and its government, with the silent support of the Spanish people, has executed a coup d'état in Catalonia. Spain's government has not only imposed home rule in Catalonia, it has also jailed the former leaders of the Catalan government. Franco is back. Spain is not a country subject to the rule of law. Spain has political prisoners. Spain joins the ranks of Venezuela, Turkey and Zimbabwe. Spain is a democratic anomaly in the very heart of the European Union.

Thus, I suddenly woke up living in a fascist country, being a fascist myself, a conspirator and an accomplice of the tyrants that oppress the Catalan people.

It is very sad to read about this in the international press. And it is worrying that those who promote and distribute such news, including respected liberal journals like *The Guardian* or *The New York Times*, are blind or unmoved by Spain's recent history if it doesn't fit the new (and more appealing) narrative of democratic regression and the return of Franco.

I have never been much of a nationalist Spaniard, but I must admit that I always felt, and still feel, proud of my country's path towards democracy. With all its defects and imperfections, Spain managed to transform a centralized military dictatorship into a decentralized, open and modern democracy with a vibrant economy and its own world view and alliances in Europe and Latin America. It handled and smoothly quashed a military *coup d'état* in 1981 and it transformed the bureaucratic structures of Franco's Spain, including its military, police and judiciary, into a modern administration.

In 1978, Spain was an economically divided country, with a prosperous north and an impoverished and backward south. Almost forty years later, the divide has been reduced and Spaniards enjoy equality of opportunities no matter where they are born. I was born in the north, grew up in the south and currently live in the center, and I have never felt as if I lived in different countries. The gap between north and south has been successfully erased thanks to a clever and hardly-worked combination of economic policy and solidarity, promoted by both right-wing and left-wing governments in Madrid.

Spain fought for three decades against a vicious terrorist organization, ETA. Basque nationalism had a deadly twist we should never forget about. ETA killed hundreds of innocent military first, but then, in its deadliest times, it assassinated politicians, journalists and even innocent bystanders. In 1987 ETA blew up a department store in Barcelona, killing twenty-one innocent Catalans whose sole crime was simply to walk into a store. ETA has been defeated and this outcome has been the result of the rule of law in action. Police force, judicial decisions and democratic elections in the Basque Country have led this region to the end of terror and to the arrival of its most prosperous times ever. Spain handled the fight against terrorism with much more dignity than other countries (I think, for example, of the UK and its legacy of State violence in Northern Ireland). The darkest episodes of the fight against ETA, in particular the attempt to create a paramilitary force with the tacit support of the government in Madrid, concluded with the imprisonment of the former Spanish Minister of the Interior. The rule of law worked,

even when the Spanish government was tempted to take shortcuts.

Spain has a world-class universal public health system that provides security, assistance and dignity to all its peoples. The country was a pioneer in equality rights when it recognized in law the right of all gay men and women to marry and adopt children in 2005, in a country in which the presence of the Catholic Church should not be understated. Spain handled a terrible economic crisis between 2008 and 2015 with incredible examples of solidarity among its peoples. Family, friends, employers and social workers managed to turn a depressed country into a place where dignity and solidarity kept people going. During this time, despite having a large immigrant population, Spain never fell (unlike other European countries) under the spell of anti-immigrant or xenophobic political discourse, quite the contrary. We sailed through this crisis with huge pain, but Spanish society proved the world how social cohesion is supposed to work in difficult times.

I very much doubt that people like Felipe González, Gil Carlos Rodríguez Iglesias (former President of the European Court of Justice) or Manuel Marín (former vicepresident of the European Commission), to name only a few, were undercover fascists. I very much doubt that the Spanish Constitutional Court, while developing one of the most far-reaching doctrines on fundamental rights, still in force today, was just a part of an organized plan to deprive the Catalan people of their rights and identity. I very much doubt that building a socially and economically strong country was simply a strategy to humiliate the rich northeastern part of the country.

Part of Catalonia's political establishment began in 2011 a journey towards independence with the claim that "Spain robs us" and the argument that a backward country cannot hold hostage a sophisticated and modern society like Catalonia. In the midst of Spain's worst economic crisis, some Catalan politicians seized the moment, at a time of extreme weakness in Madrid, to push a nationalist and divisive agenda that has led the region to its worst social, political and economic crisis in years. Home rule has been the result of six years of madness in Catalonia's regional government, a madness that at times is frightening when you hear the ethnic and pseudo-racist discourse of some of its leaders. On 27 October, the Catalan Parliament, with the support of the regional Government headed by its President, declared independence from Spain, contravening the Statute of Autonomy of Catalonia, the Spanish Constitution and, yes, of course, the Criminal Code.

The promoters of that declaration are now in the course of criminal proceedings, as they would have been in Germany if the leaders of Bavaria had taken the same course of action, or in France if the nationalist leaders of Corsica had been tempted to copy their Catalan counterparts. In the meantime, the former President of Catalonia, Carles Puigdemont, hides in Brussels as he orchestrates a campaign to shame and disgrace the reputation of Spain as a country governed by the rule of law. The strategy is quite simple: repeat over and over again that Spain is worse than Turkey and that its government is a corrupt and viciously totalitarian organization and people will end up believing it.

But I'm afraid it's not true. No matter how hard Mr. Puigdemont tries to make me and my fellow Spaniards look like cockroaches lying on their beds, the truth is that we are all still looking like Gregor Samsa. In fact, many of us in Spain wonder if it is rather Mr. Puigdemont, as well as many other Catalan nationalists who rejected independence for years but have now embraced this new religion, the real victims of an unfortunate metamorphosis.

In the meantime, the rule of law is alive and kicking in Spain. Mr. Rajoy has good reasons to keep it this way. Any regression towards darker times would be severely punished in the next general election by Spanish voters. Thus, the rule of law is doing well in Spain, but so is democracy and its checks and balances. The virtues that the Catalan Parliament and Government have been refusing to the opposition in Catalonia and to the millions of Catalans who do not believe in independence, have eventually found support in the country that Mr. Puigdemont and his supporters so vehemently deplore. If that makes of me a fascist, I wonder what it makes of Mr. Puigdemont.

This post has previously been posted on the author's blog [Despite our Differences](#).

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